AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLHOAMA, ex rel., et al. PLAINTIFF

٧.

THIRD PARTY SUMMONS IN A CIVIL ACTION

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

Ainiirs

CASE NUMBER: 05-CV-0329-TCK-SJA

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

To:

James D. Morrison individually RR 1 Box 278,

Colcord OK 74338

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6th Street Tulsa, OK 74119-1010 DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George Kutack Rock LLP The Three Sisters Building 214 West Dickson Street Fayetteville, AR 72701-5221 For Tyson Foods, Inc.

R. Thomas Lay Kerr, Irvine, Rhodes & Ables 201 Robert S. Kerr Ave., Suite 600 Oklahoma City, OK 73102 For Willow Brook Foods, Inc. Robert P. Redemann Lawrence W. Zeringue David C .Senger

Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC P. O. Box 1710

Tulsa, OK 74101-1710 For Cal-Maine Foods, Inc.

George W. Owens Randall E. Rose The Owens Law Firm, P.C.

The Owens Law Firm, 234 West 13th Street Tulsa, OK 74119 For George's Inc.

John R. Elrod Vicki Bronson Conner & Winters, P.C. 100 West Center Street, Suite 200 Fayetteville, AR 72701 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi	MAR 1 5 2006	
Clerk & MonDen	Date	
(By) DEPLITY CLERK		

	RETUR	N OF SERVICE				
Service of the Summons and cor	mplaint was made by me ⁽¹⁾	3-20-01	6			
NAME OF SERVER (PRINT)	Hibbey TITLE	3-20-00 PROCESS	Seever			
Check one box below to in	dicate appropriate method of ser	rvio				
Served personally u	upon the third-party defendant. Pla	ace where served:				
Left copies thereof discretion then resid		lling house or usual place of abo	de with a person of suitable age and			
1	th whom the summons and compla	•				
SUSAN MORRISON						
	Returned unexecuted:					
-						
Other (specify):						
		T OF SERVICE FEES				
TRAVEL	SERVICES	_	TOTAL			
	DECLARA	ATION OF SERVER				
contained in the Retur	der penalty of perjury under the law m of Service and Statement of Service and Statement of Service Date 20-66 X	vice Fees is true and correct. Higley Server	ca that the foregoing information			

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.